

Amendment and Response

Applicant: John T. Strom et al.

Serial No.: 10/801,944

Filed: March 15, 2004

Docket No.: A126.250.102/044182-3087

Title: SYSTEM AND METHOD OF MEASURING PROBE FLOAT

REMARKS

This communication is responsive to the Decision mailed August 11, 2009. In the decision, the rejection of claims 1-4, 6, 7, 9-13, 15, 16 and 18-20 under 35 U.S.C. §102(e) in view of U.S. Patent No. 6,870,382 to Harris was upheld and claims 5, 8, 14, and 17 were indicated as allowable subject to being rewritten in independent form.

With this Response, claims 1, 4, 6, 9, 13 and 15 have been amended. In particular, claim 1 has been amended to recite subject matter of claims 3 and 5 in independent form. Claim 9 has been amended to recite subject matter of claims 12 and 14 in independent form. Thus, claims 3, 5, 12, and 14 have been cancelled. Claims 4, 6, 13 and 15 have been amended to change dependency to a non-cancelled claim. Moreover, new independent claims 21 and 26 have been added to recite subject matters of claims 8 and 17, respectively, including any intervening claims. Claims 22-25 and 27-31 have been added and depend from claims 21 and 26, respectively. Claims 18-20 have also been cancelled.

As discussed above, then, claim 1 includes the subject matter of previous claim 5 in independent form, and claim 9 includes the subject matter of previous claim 8 in independent form. Claims 14 and 17 are rewritten in independent form in claims 21 and 26, respectively. As such, claims 1, 9, 21 and 26 are believed to be allowable. Moreover, dependent claims 2, 4, 6-8, 10, 11, 13, 15-17, 22-25 and 27-31 are believed to be allowable at least based on their relation to their respective independent claims.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1, 2, 4, 6-11, 13, 15-17 and 21-31 is respectfully requested.

Applicants hereby authorize the Commissioner for Patents to charge Deposit Account No. 50-0471 in the amount of \$1238.00 to cover the fees as set forth under 37 C.F.R. 1.16(h)(i) and 1.17.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed Todd R. Fronek at Telephone No. (612) 767-2522, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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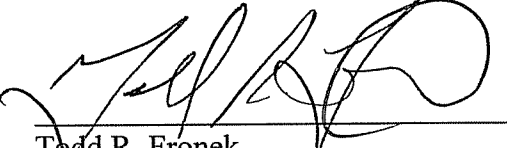
Respectfully submitted,

John T. Strom et al.,

By their attorneys,

Dicke, Billig & Czaja, PLLC.

Date: 9/24/09
TRF:skh



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